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Attorney for Defendant
ANDERSON CLAYTON ALCANTARA

6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
* * *

8 UNITED STATES OF AMERICA,) 2:17-CR-00001-JAD-CWH-4
9) DJA
10 Plaintiff,)
11 v.) STIPULATION AND ORDER TO
12) CONTINUE SENTENCING
13 ANDERSON CLAYTON ALCANTARA,)
14 Defendant.) (Third Request)
15 _____)

16 IT IS HEREBY STIPULATED by and between ANDERSON CLAYTON
17 ALCANTARA, Defendant, by and through his counsel DUSTIN R. MARCELLO, ESQ,
18 NICHOLAS A. TRUTANICH, United States Attorney, and PATRICK BURNS, Assistant
19 United States Attorney, that Sentencing currently scheduled for August 20, 2019 at 2:00 p.m. be
20 vacated and continued to 2 weeks or to a time convenient with the Court.
21

22 This Stipulation is entered into for the following reasons:

23 1. Counsel has spoken with the Defendant and he has no objection to the continuance.
24 2. The parties agree to the continuance.
25 3. Defendant is in custody in Pahrump.
26

4. Counsel needs additional time to adequately prepare for sentencing with Defendant.

Additionally the parties are attempting to negotiate a joint sentencing recommendation that would avoid significant litigation at sentencing.

5. Additionally, denial of this request for continuance would result in a miscarriage of justice.

6. This is the third request to continue the sentencing.

DATED this 16th day of August 2019.

Respectfully submitted,

NICHOLAS TRUTANICH
UNITED STATES ATTORNEY

PITARO & FUMO, CHTD.

/s/ /s/
DUSTIN R MARCELLO, ESQ.
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ANDERSON CLAYTON ALCANTARA

6 UNITED STATES DISTRICT COURT
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8 UNITED STATES OF AMERICA,) 2:17-CR-00001-JAD-CWH-4
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10 Plaintiff,)
11 v.)
12)
13 ANDERSON CLAYTON ALCANTARA,)
14 Defendant.) (Third Request)
15)
16 FINDINGS OF FACT

17 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
Court finds:

18 This Stipulation is entered into for the following reasons:

19 1. Counsel has spoken with the Defendant and he has no objection to the continuance.
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21 2. The parties agree to the continuance.
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23 3. Defendant is in custody in Pahrump.
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25 4. Counsel needs additional time to adequately prepare for sentencing with Defendant.

26 Additionally the parties are attempting to negotiate a joint sentencing recommendation that
would avoid significant litigation at sentencing.

27 5. Additionally, denial of this request for continuance would result in a miscarriage of
justice.

1 6. This is the third request to continue the sentencing.

2 **CONCLUSIONS OF LAW**

3 The end of justice served by granting said continuance outweigh the best interest of the
4 public and defendants since the failure to grant said continuance would likely result in a
5 miscarriage of justice, would deny the parties herein sufficient time and the opportunity within
6 which to be able to effectively and thoroughly prepare for sentencing taking into account the
7 exercise of due diligence.

8 **ORDER**

9
10 **IT IS ORDERED** that Sentencing currently scheduled for August 20, 2019, at 2:00 p.m.
11 be continued to Septmeber 17, 2019, at the hour of 3:00 p.m.

12
13 DATED this 16th day of August, 2019.

14
15 
16 U.S. DISTRICT JUDGE